

(a) Charges on overdue accounts collected pursuant to this section shall be deposited into the administrative assessment fund maintained by the market administrator;

(b) Amounts payable pursuant to this section shall be computed by the market administrator monthly on the unpaid balance (including any unpaid charges previously assessed pursuant to this section) remaining on each overdue obligation on such date; and

(c) Any obligation that was determined at a date later than that prescribed by the order because of a handler's failure to submit a report to the market administrator when due, shall be considered to have been payable by the date it would have been due if the report had been filed when due.

[49 FR 36077, Sept. 14, 1984]

#### ADMINISTRATIVE ASSESSMENT AND MARKETING SERVICE DEDUCTION

##### **§ 1033.85 Assessment for order administration.**

As a pro rata share of the expense of administration of the order, each handler shall pay to the market administrator on or before the 15th day after the end of the month 4 cents per hundredweight, or such lesser amount as the Secretary may prescribe, with respect to:

(a) Receipts of producer milk (including such handler's own farm production and milk received from a handler described in § 1033.9(c) but excluding bulk fluid milk products delivered from a pool plant operated by a cooperative association to another pool plant pursuant to § 1033.43(d));

(b) Receipts of bulk fluid milk products from a pool plant operated by a cooperative association pursuant to § 1033.45(d);

(c) Receipts of concentrated fluid milk products from unregulated supply plants and receipts of nonfluid milk products assigned to Class I use pursuant to § 1033.43(e) and other source milk allocated to Class I pursuant to § 1033.44 (a)(7) and (a)(11) and the corresponding steps of § 1033.44(b), except such other source milk that is excluded from the computations pursuant to § 1033.60 (d) and (e); and

(d) Route disposition in the marketing area from a partially regulated distributing plant that exceeds the Class I milk;

(1) Received during the month at such plant from pool plants and other order plants that is not used as an offset under a similar provision of another order issued pursuant to the Act; and

(2) Specified in § 1033.76(b)(2)(ii).

[49 FR 36077, Sept. 14, 1984. Redesignated and amended at 58 FR 27822, May 11, 1993]

##### **§ 1033.86 Deduction for marketing services.**

(a) The market administrator, in making payments to each producer pursuant to § 1033.72, shall deduct 7 cents per hundredweight, or such lesser amount as the Secretary may prescribe, with respect to the milk (except a handler's own farm production) of such producer for whom the marketing services set forth in paragraph (b) of this section are not being performed by a cooperative association as determined by the Secretary.

(b) The monies deducted pursuant to paragraph (a) of this section shall be used by the market administrator to verify or establish weights, samples, and tests of producer milk and to provide producers with market information. Such services shall be performed by the market administrator or by an agent engaged by and responsible to him.

[40 FR 27464, June 30, 1975. Redesignated and amended at 58 FR 27822, May 11, 1993; 58 FR 43509, Aug. 17, 1993]

## **PART 1036—MILK IN THE EASTERN OHIO-WESTERN PENNSYLVANIA MARKETING AREA**

### GENERAL PROVISIONS

Sec.

1036.1 General provisions.

### DEFINITIONS

1036.2 Eastern Ohio-Western Pennsylvania marketing area.

1036.3 Route disposition.

1036.4 [Reserved]

1036.5 Distributing plant.

1036.6 Supply plant.

1036.7 Pool plant.

1036.8 Nonpool plant.